

EXHIBIT

1

COPY

IN THE CIRCUIT COURT OF MONTGOMERY, ALABAMA

**MAKITA TOWNSEND, Individually,)
and as mother and next best friend of)
ADRIAN JUDKINS, JR. And mother)
and next best friend of)
KENTARIUS TOWNSEND; and VALENCIA)
RODGERS as legal guardian of)
KAVOSEYAE RODGERS; and ANESSA)
JUDKINS as mother and next best friend)
of ALONZO JONES,)**

Case Number:_____

**Plaintiffs)
)**

**v.)
)**

**PTL Pascall Truck Lines Inc.; Fictitious Party)
Defendant A, B, and/or C being that person,)
firm, corporation, partnership, legal entity)
or individual who either directly or)
indirectly caused this wreck; C, D, F who)
negligently and/or wantonly hired,)
trained and/or supervised Jeffery Snyder.)**

**Defendants.)
_____**

COMPLAINT

STATEMENT OF THE PARTIES

1. The Plaintiff, Makita Townsend, at all times regarding the allegations of this complaint resided at 3493 Gilmer Avenue in Montgomery County Alabama in Montgomery.
2. The Plaintiff, Valencia Rodgers, at all times regarding the allegations in this complaint resided at 1159 Barkley Drive, Montgomery, Alabama.

3. The Plaintiff, Anessa Judkins, at all times regarding the allegations in this complaint resided at 3554 Berkley Drive, Montgomery, Alabama 36111
4. The Defendant, PTL Pascall Truck Lines Inc. is believed to be foreign corporation licensed to do business in the State of Alabama.
5. Makita Townsend is the mother of Adrian Judkins, Jr. and Kentarius Townsend. She brings this case individually on behalf of herself and as mother and next best friend on behalf of her two children Adrian Judkins, Jr. and Kentarius Townsend.
6. Valencia Rodgers is the legally appointed guardian of Kavoseyea Rodgers, the son of her sister Shontae Rodgers (see attachment).
7. Anessa Judkins is the mother of Alonzo Jones. She brings this case as mother and next best friend on behalf of her son, Alonzo Jones.
8. Fictitious Party defendants A, B, and/or C being that person, firm, corporation, partnership, legal entity or individual who either directly or indirectly caused this wreck; C, D, F who negligently and/or wantonly hired, trained and/or supervised Jeffery Snyder

STATEMENT OF FACTS

9. On or about Friday March 25, 2005 at approximately 9:00pm Makita Townsend was driving a 2000 Montera Sport SUV traveling west on West South Boulevard in Montgomery County, Alabama when a tractor-trailer truck believed to be

owned by Pascall Truck Lines Inc. and driven by Jeffrey Snyder made an improper turn into the Plaintiffs' lane of travel and/or improper turn and/or failed to yield the right of way of travel to the Plaintiffs causing a wreck to occur between the tractor-trailer truck and the Plaintiff.

10. In the vehicle with Makita were Amonzo Williams, Kentarius Townsend, Adrian Judkins, Jr., Kavoseyae Rodgers and Alonzo Jones.
11. As a result of this wreck the Plaintiffs were injured.
12. At the time of the wreck Mr. Snyder was an agent servant and/or employee of the Defendant, PTL Pascall Truck Lines Inc. and was working within the line and scope of his employment at the time of the wreck. PTL Pascall Truck Lines Inc. is sought to be held liable in this case for the actions of it's employee and/or servant and/or agent, Mr. Snyder, under the theory of respondeat superior. Additionally, PTL Pascall Truck Lines Inc. is sought to be held liable directly as a result of negligently hiring and/or training and/or supervising Mr. Snyder.

COUNT I
Negligent / wantonness

13. The Plaintiffs re-allege all allegations heretofore contained in the complaint.
14. On March 25, 2005 Mr. Snyder, working in within the line and scope of his employment as an employee / servant / agent of PTL Pascall Truck Lines Inc., was negligent and/or wanton in failing to yield the right of way, making an

improper turn, failing to yield, and other driving errors in violation of Alabama Law in causing a collision with the Plaintiffs.

15. The Defendant and it's driver had a duty to obey the Rules of the Road and not cause a vehicle wreck. The Defendant and it's driver breached this duty and as a result of this breach the Plaintiffs were injured in the following manner:

- A.) Makita Townsend was injured her back, her right knee and was made to be bruised and sore.
- B.) Adrian Judkins, Jr. suffered a broken hip and leg and was made to be bruised and sore.
- C.) Kentarius Townsend was made to be bruised and sore.
- D.) Kavoseyae Rodgers suffered a hurt back, left knee and thigh and he suffered muscle spasms.
- E.) Alonzo Jones was made to be bruised and sore.

Wherefore, premises considered, The Plaintiffs Makita Townsend, individually; Makita Townsend as mother and next best friend Adrian Judkins, Jr.; Makita Townsend as mother and next best friend of Kentarius Townsend; Valencia Rodgers as legal guardian for Kavoseyae Rodgers; and Anessa Judkins as mother and next best friend to Alonzo Jones demand judgment against the Defendant, PTL Pascall Truck Lines Inc. for both compensatory and punitive damages in an amount to be assessed by the trier of fact.

COUNT II
Negligent and/or Wanton Hiring

16. The Plaintiffs re-allege all allegations heretofore contained in the complaint.
17. The Defendant, PTL Pascall Truck Lines Inc., negligently and/or wantonly hired Mr. Snyder in that the Defendants failed to do a proper background check, driving history evaluation, conduct a proper interview, and failed to obtain the necessary information as well as failed to give the appropriate driving test and failed to train Mr. Snyder prior to his employment with PTL Pascall Truck Lines Inc.
18. The Defendant owes a duty to the public to hire competent drivers and do appropriate background investigations prior to hiring.
19. As a direct result of the negligence and/or wantonness of the Defendants in hiring Mr. Snyder, a wreck was caused due to the driving error and fault of Mr. Snyder causing damages and injuries to the Plaintiffs.
20. Specifically, on or about March 25, 2005, Mr. Snyder, working in within the line and scope of his employment as an employee / servant / agent and/or representative of the Defendant, PTL Pascall Truck Lines Inc., negligently and/or wantonly caused his vehicle to collide with the Plaintiffs which caused the Plaintiffs the following injuries:
 - A.) Makita Townsend was injured her back, her right knee and was made to be

bruised and sore.

- B.) Adrian Judkins, Jr. suffered a broken hip and leg and was made to be bruised and sore.
- C.) Kentarius Townsend was made to be bruised and sore.
- D.) Kavoseyae Rodgers suffered a hurt back, left knee and thigh and he suffered muscle spasms.
- E.) Alonzo Jones was made to be bruised and sore.

Wherefore, premises considered, The Plaintiffs Makita Townsend, individually; Makita Townsend as mother and next best friend Adrian Judkins, Jr.; Makita Townsend as mother and next best friend of Kentarius Townsend; Valencia Rodgers as legal guardian for Kavoseyae Rodgers; and Anessa Judkins as mother and next best friend to Alonzo Jones demand judgment against the Defendant, PTL Pascall Truck Lines Inc. for both compensatory and punitive damages in an amount to be assessed by the trier of fact.

COUNT III
Negligent and/or Wanton Training

- 21. The Plaintiff re-alleges all allegations heretofore contained in the complaint.
- 22. The Defendant hired Mr. Snyder and negligently and/or wantonly trained him to drive a big tractor-trailer rig on the highways of the State of Alabama. The Defendant did not properly or correctly train Mr. Snyder nor provide him the safety information or training he needed to adequately and lawfully operate a tractor-trailer rig in the State of Alabama.

23. As a direct result of this negligent and/or wanton training, Mr. Snyder on March 25, 2005 negligently and/or wantonly caused a wreck by colliding with the Plaintiffs which caused the Plaintiffs to suffer the following injuries:

- A.) Makita Townsend was injured her back, her right knee and was made to be bruised and sore.
- B.) Adrian Judkins, Jr. suffered a broken hip and leg and was made to be bruised and sore.
- C.) Kentarius Townsend was made to be bruised and sore.
- D.) Kavoseyae Rodgers suffered a hurt back, left knee and thigh and he suffered muscle spasms.
- E.) Alonzo Jones was made to be bruised and sore.

Wherefore, premises considered, The Plaintiffs Makita Townsend, individually; Makita Townsend as mother and next best friend Adrian Judkins, Jr.; Makita Townsend as mother and next best friend of Kentarius Townsend; Valencia Rodgers as legal guardian for Kavoseyae Rodgers; and Anessa Judkins as mother and next best friend to Alonzo Jones demand judgment against the Defendant, PTL Pascall Truck Lines Inc. for both compensatory and punitive damages in an amount to be assessed by the trier of fact.

COUNT III
Negligent and/or Wanton Supervision

24. The Plaintiffs re-allege all allegations heretofore contained in the complaint.

25. The Defendant negligently and/or wantonly supervised Mr. Snyder during his employment with the Defendant. This negligent and/or wanton supervision directly caused the Mr. Snyder to negligently and/or wantonly operate his vehicle in the State of Alabama on March 25, 2005 which caused a collision with the Plaintiffs to suffer the following injuries:

- A.) Makita Townsend injured her back, her right knee and was made to be bruised and sore.
- B.) Adrian Judkins, Jr. suffered a broken hip and leg and was made to be bruised and sore.
- C.) Kentarius Townsend was made to be bruised and sore.
- D.) Kavoseyae Rodgers suffered a hurt back, left knee and thigh and he suffered muscle spasms.
- E.) Alonzo Jones was made to be bruised and sore.

Wherefore, premises considered, The Plaintiffs Makita Townsend, individually; Makita Townsend as mother and next best friend Adrian Judkins, Jr.; Makita Townsend as mother and next best friend of Kentarius Townsend; Valencia Rodgers as legal guardian for Kavoseyae Rodgers; and Anessa Judkins as mother and next best friend to Alonzo Jones demand judgment against the Defendant, PTL Pascall Truck Lines Inc. for both compensatory and punitive damages in an amount to be assessed by the trier of fact.

******TO BE SERVED VIA CERTIFIED MAIL******

PTL Pascall Truck Lines, Inc.
3443 U.S. Highway
Murray, Kentucky 42071-4089

Done this 22 day of February 2006.

M. Todd Wheelles
M. Todd Wheelles (WHE014)